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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

DANIEL AZZOPARDI and
SPORTSMAN'S WAREHOUSE,
INC.,

Plaintiffs,

v.

ELLEN ROSENBLUM, in her official
capacity as Attorney General of the
State of Oregon; and TERRI DAVIE,
in her official capacity as
Superintendent of the Oregon State
Police,

Defendants.

Case No.

**DECLARATION OF MATTHEW
FRENCH IN SUPPORT OF
PLAINTIFFS' EMERGENCY
MOTIONS FOR A TEMPORARY
RESTRAINING ORDER AND
PRELIMINARY INJUNCTION**

I, Matthew French, declare under penalty of perjury, pursuant to 28 U.S.C.
§ 1746, that the following statements are true and correct to the best of my knowledge:

1. I am over 18 years of age, competent to testify, and have personal
knowledge of the matters stated herein. I make this Declaration in support of plaintiffs'
emergency motions for a temporary restraining order and preliminary injunction.

2. I am the Vice President, Compliance, of Sportsman's Warehouse, Inc. ("Sportsman's Warehouse") and am qualified to submit this declaration on behalf of Sportsman's Warehouse. I have served in this role since 2003.

3. Sportsman's Warehouse is incorporated in the state of Utah and registered to conduct business in the State of Oregon.

4. Sportsman's Warehouse is an outdoor sporting goods retailer with 131 stores across the United States, including 8 locations in Oregon, serving hundreds of thousands of Oregon residents.

5. Sportsman's Warehouse locations in Oregon include: Portland, Albany, Bend, Hillsboro, Klamath Falls, Medford, Roseburg, and Salem.

6. Sportsman's Warehouse sells apparel, footwear, and gear to for a wide array of outdoor activities, including camping, fishing, and hunting.

7. Sportsman's Warehouse sells firearms, ammunition, and associated shooting sports accessories. Each Sportsman's Warehouse location has a Federal Firearms License ("FFL") that is granted and regulated by the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF").

8. Sportsman's Warehouse is a "Gun dealer" as that term is defined in Ballot Measure 114.

9. Under current Federal and State statutes and/or regulations, a customer desiring to purchase a firearm from an Oregon Sportsman's Warehouse location must complete the following steps: The purchaser must prove his or her identity via presentation of valid and current government-issued identification that bears a photograph of the purchaser and reflects the purchaser's full legal name, current address,

and date of birth. The purchaser must also complete a Firearms Transaction Record (“ATF Form 4473”).

10. After completion of the ATF Form 4473, Sportsman’s Warehouse must submit the information provided by the customer to the Oregon State Police (“OSP”). OSP must then initiate a background check and inform Sportsman’s Warehouse within thirty minutes if that background check has been approved, denied, or delayed. It is the policy of Sportsman’s Warehouse’s to only complete the transfer of a firearm to a customer after the customer has successfully completed an ATF Form 4473 and after receiving an approved response to the associated background check conducted by OSP.

11. Ballot Measure 114 requires customers to obtain a “permit-to-purchase” before Sportsman’s Warehouse can initiate a transaction for a firearm. As Sportsman’s Warehouse understands the permit process, a person must be fingerprinted and apply for a permit to the police chief or county sheriff where the person resides. As a prerequisite for obtaining a “permit-to-purchase,” a person must provide proof that she has completed a firearm safety course that, among other things, involved an in-person demonstration of the applicant’s ability to lock, load, unload, fire and store a firearm. The in-person demonstration must be done before an instructor certified by a law enforcement agency. To my knowledge, no law enforcement agency has certified any individual or organization as an instructor for purposes of Ballot Measure 114 in any of the jurisdictions in which Sportsman’s Warehouse has stores in Oregon. Further, it is my understanding that there is no application has yet been promulgated by the OSP.

12. Upon the effective date of Ballot Measure 114, and until such time as permits are issued by the relevant law enforcement agencies, no Oregon resident (with

the possible exception of some law enforcement personnel) will qualify to purchase a firearm at any Sportsman's Warehouse location.

13. Enforcement of Ballot Measure 114 without an extant permitting process will eliminate the ability of Oregon residents to lawfully purchase firearms. Specifically, the Oregon residents that Sportsman's Warehouse serves for their personal protection, outdoor sporting interests, hunting and shooting sports activities will be unable to purchase a firearm.

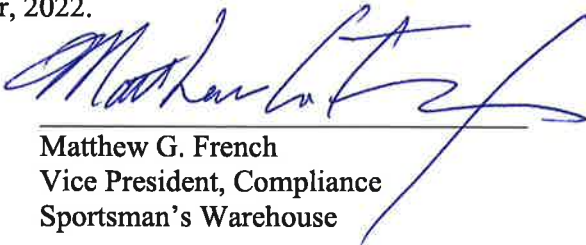
14. If Ballot Measure 114 takes effect, Sportsman's Warehouse locations in Oregon will effectively become unable to sell firearms, eliminating those Sportsman's Warehouse store's single largest revenue source.

15. Last year, Sportsman's Warehouse sold tens of thousands of firearms in Oregon.

16. Sportsman's Warehouse fears prosecution by Defendants for violating the law should it continue to sell or to attempt or firearms in the State of Oregon after December 8, 2022, because compliance with the law will be impossible.

17. Absent an injunction, Sportsman's Warehouse will suffer additional irreparable harm by being forced to cease sales of firearms within Oregon, resulting in significant negative financial impacts to Sportsman's Warehouse.

DATED this 2nd day of December, 2022.



Matthew G. French
Vice President, Compliance
Sportsman's Warehouse